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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/644/Add.3)]

52/138. Human rights in Haiti

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Recalling its resolution 51/110 of 12 December 1996, and taking note of Commission on Human Rights resolution 1997/52 of 15 April 1997,[3]

Recognizing the interdependence and the mutual reinforcement between democracy, development and respect for human rights and fundamental freedoms and the commitment of the international community to supporting, strengthening and promoting this principle,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

Taking note of the reports of the independent expert of the Commission on Human Rights on the situation of human rights in Haiti, Mr. Adama Dieng,[4] who was appointed to assist the Government of Haiti to consider the development of the human rights situation in Haiti and to verify its compliance with its obligations in that field, and the recommendations contained therein,

Welcoming and bearing in mind the report of the Secretary-General on the implementation of the programme of technical cooperation aimed at strengthening the institutional capacity of Haiti in the field of human rights,[5]

Recognizing the important contributions of the International Civilian Mission to Haiti, the United Nations Support Mission in Haiti, the United Nations Transition Mission in Haiti and the National Commission for Truth and Justice to the establishment of a climate of freedom and tolerance propitious to the respect for human rights and the restoration and spread of democracy in Haiti,

Welcoming the renewal by the General Assembly, in its resolution 51/196 B of 31 July 1997, of the mandate of the International Civilian Mission to Haiti,

Welcoming also the efforts of the Government to improve the situation of human rights in Haiti, and noting the policy statements by Haitian authorities that the Government of Haiti remains committed to upholding human rights and improving accountability,

Expressing the hope that the Haitian people will shortly be able to express themselves once again through free, honest and transparent elections,

Expressing concern at the continuing problem of common crime, and noting the ongoing need for technical training of the Haitian National Police and for the strengthening of the judicial system,

1. *Expresses its thanks* to the Secretary-General, to his Special Representative for Haiti and to the independent expert of the Commission on Human Rights on the situation of human rights in Haiti for their continuing efforts in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. *Welcomes* the report of the National Commission for Truth and Justice, as well as the reports of the International Civilian Mission to Haiti on Haitian justice and on respect for human rights by the Haitian National Police, and urges the Government of Haiti, with the support of the international community, to take appropriate follow-up action on the recommendations contained in those reports;

3. *Requests* the Government of Haiti to publish the complete report of the National Commission for Truth and Justice and to make it widely available throughout the country, as well as to initiate legal action in serious cases;

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[4] E/CN.4/1997/89 and A/52/499.

[5] A/52/515.

4. *Expresses concern* at the security problems faced by Haitian society, which contribute to the shortcomings of the judicial system and the police apparatus, as noted in the reports of the independent expert;[4]

5. *Supports* the reform of the judicial system currently being carried out by the Government of Haiti, which includes training in international humanitarian law and human rights, and emphasizes the priority of that reform in the framework of the bilateral and multilateral assistance provided by the international community, including that of the United Nations Development Programme;

6. *Welcomes* the establishment of the programme of technical cooperation prepared by the Office of the United Nations High Commissioner for Human Rights, aimed at strengthening institutional capacity in the field of human rights, in particular in the areas of legislative reform, training of justice administration personnel and human rights education, and requests the Secretary-General to submit a report on the implementation of the programme to the General Assembly at its fifty-third session;

7. *Invites* the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti, having regard for the fragility of the political, social and economic situation of the country;

8. *Encourages* the Government of Haiti to ratify the International Covenant on Economic, Social and Cultural Rights,[5] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[6] and the Optional Protocols to the International Covenant on Civil and Political Rights;[7]

9. *Once again invites* the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to consider favourably the invitation to visit the country extended to her by the Government of Haiti;

10. *Decides* to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-third session.

70th plenary meeting
12 December 1997

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[6] Resolution 39/46, annex.

[7] See resolutions 2200 A (XXI), annex and 44/128, annex.